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APPLICATION NO.	FII	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,567 09/29/2003		Shinsuke Shiota	016778-0468	4270	
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WASHINGT	ON, DC	20007	. 2683		

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Please find below and/or attached an Office communication concerning this application or proceeding.

		Applica	tion No.	Applicant(s)				
			567	SHIOTA ET AL.				
	Office Action Summary	Examin	er	Art Unit				
		Chuck H	luynh	2683				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SH THE I - Exter after - If the - If NO - Failu Any	ORTENED STATUTORY PERIOD F MAILING DATE OF THIS COMMUN asions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this common period for reply specified above is less than thirty (3 period for reply is specified above, the maximum as the to reply within the set or extended period for reply eply received by the Office later than three months and patent term adjustment. See 37 CFR 1.704(b).	ICATION. s of 37 CFR 1.136(a). In no enunication. sto) days, a reply within the statutory period will apply and will, by statute, cause the a	event, however, may a reply be time tatutory minimum of thirty (30) days will expire SIX (6) MONTHS from polication to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
Status								
1)⊠	Responsive to communication(s) file	ed on <u>2</u> 9 September	·_2003.					
		2b)⊠ This action is						
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Dispositi	on of Claims							
5)□ 6)⊠ 7)□	Claim(s) <u>1-17</u> is/are pending in the a 4a) Of the above claim(s) is/a Claim(s) is/are allowed. Claim(s) <u>1-17</u> is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restrict	re withdrawn from c						
Applicati	on Papers							
9) 🗌 '	The specification is objected to by th	e Examiner.						
10) The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.								
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11)	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority u	nder 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
Attachment	e(s) e of References Cited (PTO-892)		4) Interview Summary	(PTO.413)				
2) D Notic	e of Draftsperson's Patent Drawing Review (F		Paper No(s)/Mail Da	ite				
	nation Disclosure Statement(s) (PTO-1449 or No(s)/Mail Date	PTO/SB/08)	5) Notice of Informal Pa	atent Application (PTO-152)				

DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Heuvel et al. (hereinafter Van Den Heuvel).

Regarding claim 1, Rune discloses a computer apparatus having a wireless LAN (Local Area Network) connecting unit for connection with a wireless LAN (Col 1, line 57), the computer apparatus comprising:

a GPS (Global Positioning System) receiver responsive to a GPS signal for producing current position data representative of a current position of the computer apparatus (Col 12, line 14); and

an area data output unit responsive to the current position data for producing specific area data representative of a specific area including the current position (Col 3, lines 65-67 – Col 4, lines 1-2, 9-14);

Rune discloses all the particulars of the claim except that the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of area data, respectively, the wireless LAN connecting unit being responsive to the specific area data for automatically setting, as a selected communication mode, one of the wireless LAN communication modes which

corresponds to the specific area data, thereby carrying out transmission/reception via the wireless LAN in the selected communication mode.

However, Van Den Heuvel does disclose that the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes (CoI 2, lines 50-58) corresponding to a plurality of area data, respectively, the wireless LAN connecting unit being responsive to the specific area data for automatically setting, as a selected communication mode (CoI 2, lines 59-65), one of the wireless LAN communication modes which corresponds to the specific area data (CoI 5, lines 37-43), thereby carrying out transmission/reception via the wireless LAN in the selected communication mode (CoI 2, lines 59-65; CoI 3, lines 28-31).

It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Rune's GPS disclosure with Van Den Heuvel's disclosure of selecting a communication mode within a geographical region to establish communication.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Deuvel and in further view of Chrystie et al. (Hereinafter Chrystie) (EP 0684707).

Regarding claim 2, Rune in view of Van Den Heuvel discloses all the particulars of the claim except a computer apparatus as claimed in claim 1, wherein:

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area represented by the area data corresponding thereto;

the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode.

However, Chrystie does disclose a computer apparatus as claimed in claim 1, wherein:

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area represented by the area data corresponding thereto (Col 2, lines 7-17, 27-44);

the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode (Col 2, lines 7-17, 27-44).

It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Chrystie's disclosure of determining and controlling power level within a region of communication to keep radiating power within regulation (Col 1, lines 27-36).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van den Heuvel in view of Rune.

Regarding claim 3, Rune in view of Van Den Heuvel does disclose a computer apparatus as claimed in claim 1, wherein:

the area data output unit is responsive to the current position data and produces specific country data representative of a specific country including the current position (Col 3, lines 3-4) (a list is outputted to user when entering an area (such as a country) (Col 5, lines 41-44);

the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of country data, the wireless LAN connecting unit being responsive to the specific country data and automatically setting, as a selected communication mode, one of the LAN communication modes which corresponds to the specific country data, thereby carrying out transmission/reception via the wireless LAN in the selected communication mode (Col 2, lines 54-58).

Van Den Heuvel discloses all the particulars of the claim, but is shy on location data to be country data.

However, Rune does disclose geographic area to be an entire country (Col 1, line 21) and with GPS capability (Col 12, line 15), the location (data) any country is known.

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Rune's disclosure of GPS to provide location data of different country to the system.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Huevel.

Regarding claim 4, Rune discloses a computer apparatus having a wireless LAN (Local Area Network) connecting unit for connection with a wireless LAN (Col 1, line 57), the computer apparatus comprising:

a current position data output unit for producing current position data representative of a current position of the computer apparatus (Col 12, line 14) (GPS); and

an area data output unit responsive to the current position data for producing specific area data representative of a specific area including the current position (Col 3, lines 65-67 – Col 4, lines 1-2, 9-14);

Rune discloses all the particulars of the claim except

the wireless lan connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of area data, respectively, the wireless LAN connecting unit being responsive to the specific area data for automatically setting, as a selected communication model one of the wireless MN communication modes which corresponds to the specific area data thereby carrying out transmission/reception via the wireless LAN in the selected communication mode.

However, Van Den Huevel does disclose
the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN
communication modes (Col 2, lines 50-58) corresponding to a plurality of area data,
respectively, the wireless LAN connecting unit being responsive to the specific area

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data for automatically setting (CoI 2, lines 59-65), as a selected communication model one of the wireless MN communication modes which corresponds to the specific area data (CoI 5, lines 37-43) thereby carrying out transmission/reception via the wireless LAN in the selected communication mode (CoI 2, lines 59-65; CoI 3, lines 28-31).

It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Rune's GPS disclosure with Van Den Heuvel's disclosure of selecting a communication mode within a geographical region to establish communication.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Deuvel and in further view of Chrystie et al. (Hereinafter Chrystie) (EP 0684707).

Regarding claim 5, Rune in view of Van Den Heuvel discloses all the particulars of the claim except a computer apparatus as claimed in claim 4, wherein:

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area represented by the area data corresponding thereto;

the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode.

However, Chrystie does disclose a computer apparatus as claimed in claim 1, wherein:

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area represented by the area data corresponding thereto (Col 2, lines 7-17, 27-44);

the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode (Col 2, lines 7-17, 27-44).

It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Chrystie's disclosure of determining and controlling power level within a region of communication to keep radiating power within regulation (Col 1, lines 27-36).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van den Heuvel in view of Rune.

Regarding claim 6, Rune in view of Van Den Heuvel does disclose a computer apparatus as claimed in claim 4, wherein:

the area data output unit is responsive to the current position data and produces specific country data representative of a specific country including the current position (Col 3, lines 3-4) (a list is outputted to user when entering an area (such as a country) (Col 5, lines 41-44);

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the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of country data, the wireless LAN connecting unit being responsive to the specific country data and automatically setting, as a selected communication mode, one of the LAN communication modes which corresponds to the specific country data, thereby carrying out transmission/reception via the wireless LAN in the selected communication mode (Col 2, lines 54-58).

Van Den Heuvel discloses all the particulars of the claim, but is shy on location data to be country data.

However, Rune does disclose geographic area to be an entire country (Col 1, line 21) and with GPS capability (Col 12, line 15), the location (data) any country is known.

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Rune's disclosure of GPS to provide location data of different country to the system.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Heuvel in further view of Bantz.

Regarding claim 7, Rune in view of Van Den Heuvel discloses all the particulars of the claim except a computer apparatus as claimed in claim 4, wherein:

the current position data output unit Is a gyroscope for producing the current position data representative of the current position of the computer apparatus.

However, Bantz does disclose a computer apparatus as claimed in claim 4, wherein:

the current position data output unit Is a gyroscope for producing the current position data representative of the current position of the computer apparatus (Page 1, [0005]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Bantz's disclosure of the gyroscope to provide position data for location monitoring.

9. Claim 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Heuvel.

Regarding claim 8, Rune discloses a client apparatus having a wireless GN (Local Area Network) connecting unit for connection with a wireless LAN (Col 1, line 57), the client apparatus comprising:

a current position data output unit for producing current position data representative of a current position of the client apparatus (GPS)(Col 12, line 14); and an area data output unit responsive to the current position data for producing specific area data representative of a specific area including the current position (Col 3, lines 65-67 – Col 4, lines 1-2, 9-14);

Rune discloses all the particulars of the claim except the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of area data, respectively, the wireless LAN

connecting unit being responsive to the specific area data for automatically setting, as a selected communication mode, one of the wireless LAN communication modes which corresponds to the specific area data, thereby carrying out transmission/reception via the wireless LAN in the selected communication mode.

However, Van Den Huevel does disclose

the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes (CoI 2, lines 50-58) corresponding to a plurality of area data, respectively, the wireless LAN connecting unit being responsive to the specific area data for automatically setting (CoI 2, lines 59-65), as a selected communication model one of the wireless MN communication modes which corresponds to the specific area data (CoI 5, lines 37-43) thereby carrying out transmission/reception via the wireless LAN in the selected communication mode (CoI 2, lines 59-65; CoI 3, lines 28-31).

It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Rune's GPS disclosure with Van Den Heuvel's disclosure of selecting a communication mode within a geographical region to establish communication.

Regarding claim 11, Rune discloses a client apparatus as claimed in claim 8, wherein:

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the current position data output unit is a GPS (Global Positioning System)
receiver responsive to a GPS signal for producing the current position data
representative of the current position of the client apparatus (Col 12, line 14).

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Deuvel and in further view of Chrystie et al. (Hereinafter Chrystie) (EP 0684707).

Regarding claim 9, Rune in view of Van Den Heuvel discloses all the particulars of the claim except a client apparatus as claimed in claim 8, wherein:

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area represented by the area data corresponding thereto;

the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode.

However, Chrystie does disclose a computer apparatus as claimed in claim 1, wherein:

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area represented by the area data corresponding thereto (Col 2, lines 7-17, 27-44);

the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode (Col 2, lines 7-17, 27-44).

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It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Chrystie's disclosure of determining and controlling power level within a region of communication to keep radiating power within regulation (Col 1, lines 27-36).

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van den Heuvel in view of Rune.

Regarding claim 10, Rune in view of Van Den Heuvel discloses a client apparatus as claimed in claim 8, wherein:

the area data output unit is responsive to the current position data and produces specific country data representative of a specific country including the current position (Col 3, lines 3-4) (a list is outputted to user when entering an area (such as a country) (Col 5, lines 41-44);

the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of country data, the wireless LAN connecting unit being responsive to the specific country data and automatically setting, as a selected communication mode, one of the LAN communication modes which corresponds to the specific country data, thereby carrying out

transmission/reception via the wireless LAN in the selected communication mode (Col 2, lines 54-58).

Van Den Heuvel discloses all the particulars of the claim, but is shy on location data to be country data.

However, Rune does disclose geographic area to be an entire country (CoI 1, line 21) and with GPS capability (CoI 12, line 15), the location (data) any country is known.

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Rune's disclosure of GPS to provide location data of different country to the system.

12. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Heuvel in further view of Bantz.

Regarding claim 12, Rune in view of Van Den Heuvel discloses all the particulars of the claim except a client apparatus as claimed in claim 8, wherein:

the current position data output unit Is a gyroscope for producing the current position data representative of the current position of the computer apparatus.

However, Bantz does disclose a computer apparatus as claimed in claim 4, wherein:

the current position data output unit Is a gyroscope for producing the current position data representative of the current position of the computer apparatus (Page 1, [0005]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Bantz's disclosure of the gyroscope to provide position data for location monitoring.

13. Claim 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Heuvel.

Regarding claim 13, Rune discloses an electronic apparatus having a wireless LAN (Local Area Network) connecting unit for connection with a wireless LAN (Col 1, line 57), the electronic apparatus comprising:

a current position data output unit for producing current position data representative of a current position of the electronic apparatus (Col 12, line 14); and an area data output unit responsive to the current position data for producing specific area data representative of a specific area including the current position (Col 3, lines 65-67 – Col 4, lines 1-2, 9-14);

Rune discloses all the particulars of the claim except the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of area data, respectively, the wireless LAN connecting unit being responsive to the specific area data for automatically setting, as a

selected communication mode, one of the wireless LAN communication modes which corresponds to the specific area data thereby carrying out transmission/reception via the wireless LAN in the selected communication mode.

However, Van Den Heuvel does disclose that the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes (CoI 2, lines 50-58) corresponding to a plurality of area data, respectively, the wireless LAN connecting unit being responsive to the specific area data for automatically setting, as a selected communication mode (CoI 2, lines 59-65), one of the wireless LAN communication modes which corresponds to the specific area data (CoI 5, lines 37-43) thereby carrying out transmission/reception via the wireless LAN in the selected communication mode (CoI 2, lines 59-65; CoI 3, lines 28-31).

It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Rune's GPS disclosure with Van Den Heuvel's disclosure of selecting a communication mode within a geographical region to establish communication.

14. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Deuvel and in further view of Chrystie et al. (Hereinafter Chrystie) (EP 0684707).

Regarding claim 14, Rune in view of Van Den Heuvel discloses all the particulars of the claim except an electronic apparatus as claimed in claim 13, wherein:

represented by the area data corresponding thereto;

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area

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the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode.

However, Chrystie does disclose a computer apparatus as claimed in claim 1, wherein:

each of the wireless LAN communication modes corresponding to the area data is determined by a radio frequency channel and a transmit power level used in an area represented by the area data corresponding thereto (Col 2, lines 7-17, 27-44);

the wireless LAN connecting unit carrying out transmission/reception via the wireless LAN by the use of the radio frequency channel and the transmit power level which determine the selected communication mode (Col 2, lines 7-17, 27-44).

It would have been obvious to one ordinarily skilled in the art at the time of invention to combine Chrystie's disclosure of determining and controlling power level within a region of communication to keep radiating power within regulation (CoI 1, lines 27-36).

15. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van den Heuvel in view of Rune.

Regarding claim 15, Rune in view of Van Den Heuvel discloses an electronic apparatus as claimed in claim 13, wherein:

the area data output unit is responsive to the current position data and produces specific country data representative of a specific country including the current position (Col 3, lines 3-4) (a list is outputted to user when entering an area (such as a country) (Col 5, lines 41-44);

the wireless LAN connecting unit being preliminarily given a plurality of wireless LAN communication modes corresponding to a plurality of country data, the wireless LAN connecting unit being responsive to the specific country data and automatically setting, as a selected communication mode, one of the LAN communication modes which corresponds to the specific country data, thereby carrying out transmission/reception via the wireless LAN in the selected communication mode (Col 2, lines 54-58).

Van Den Heuvel discloses all the particulars of the claim, but is shy on location data to be country data.

However, Rune does disclose geographic area to be an entire country (CoI 1, line 21) and with GPS capability (CoI 12, line 15), the location (data) any country is known.

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Rune's disclosure of GPS to provide location data of different country to the system.

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Regarding claim 16, Rune discloses a client apparatus as claimed in claim 13, wherein:

the current position data output unit is a GPS (Global Positioning System) receiver responsive to a GPS signal for producing the current position data representative of the current position of the client apparatus (Col 12, line 14).

16. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rune in view of Van Den Heuvel in further view of Bantz.

Regarding claim 17, Rune in view of Van Den Heuvel discloses all the particulars of the claim except a client apparatus as claimed in claim 13, wherein:

the current position data output unit Is a gyroscope for producing the current position data representative of the current position of the computer apparatus.

However, Bantz does disclose a computer apparatus as claimed in claim 4, wherein:

the current position data output unit Is a gyroscope for producing the current position data representative of the current position of the computer apparatus (Page 1, [0005]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Bantz's disclosure of the gyroscope to provide position data for location monitoring.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sundar, Rangamani et al. discloses a Method, system and apparatus for providing WWAN services to a mobile station serviced by a WLAN

Ault; Jan C. et al. discloses a Method and apparatus for system determination in a multi-mode subscriber station

Miyake; Masayasu et al. discloses a Multimode radio communication system

Skarby; Ulf Bertil Christian discloses an Arrangement and a method relating to a radio unit

Blakeney, II; Robert D. et al. discloses a Method and apparatus for performing preferred system selection

Bamburak; Michael D. et al. discloses a Method for selecting a wireless service provider in a multi-service provider environment using a geographic database

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuck Huynh

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